

# KNOXVILLE/KNOX COUNTY METROPOLITAN PLANNING COMMISSION **USE ON REVIEW REPORT**

► FILE #: AGENDA ITEM #: 4-H-18-UR 67

> AGENDA DATE: 4/12/2018

▶ APPLICANT: PETER MEDLYN

OWNER(S): Peter Medlyn

TAX ID NUMBER: 103 PART OF 11504 View map on KGIS

JURISDICTION: County Commission District 6

10810 Hardin Valley Rd ► LOCATION: Southeast side of Hardin Valley Rd., southwest of Valley Vista Rd.

APPX. SIZE OF TRACT: **1.92 acres** 

STREET ADDRESS:

SECTOR PLAN: Northwest County **GROWTH POLICY PLAN:** Planned Growth Area

ACCESSIBILITY: Access is via Hardin Valley Rd., a minor arterial street with a 3 lane section

with a 44' pavement width within an 100' right-of-way.

**UTILITIES:** Water Source: West Knox Utility District

> Sewer Source: West Knox Utility District

WATERSHED: Conner Creek

PC (Planned Commercial) / TO (Technology Overlay) ZONING:

EXISTING LAND USE: Vacant land

PROPOSED USE: Retail, Restaurant and Office

Knox County Commission approved the rezoning of this property to PC/TO HISTORY OF ZONING:

on October 28, 2013.

SURROUNDING LAND

USE AND ZONING:

North: Residences - BP (Business and Technology) / TO (Technology

Overlay)

Vacant land - PC (Planned Commercial) / TO (Technology Overlay) South:

& A (Agricultural) / TO (Technology Overlay)

East: Restaurant - PC (Planned Commercial) / TO (Technology Overlay)

West: Vacant land - PC (Planned Commercial) / TO (Technology Overlay)

**NEIGHBORHOOD CONTEXT:** This area is developed with a mix of residential, office and commercial uses,

under A, PR, OB and PC zoning.

#### STAFF RECOMMENDATION:

▶ APPROVE the request for a commercial center with approximately 11,733 square feet, as shown on the development plan, subject to 9 conditions

- 1. Obtaining approval from the Tennessee Technology Corridor Development Authority (TTCDA) for the proposed development (4-D-18-TOB) that will be before the Board on April 9, 2018.
- 2. Connection to sanitary sewer and meeting any other relevant requirements of the Knox County Health Department.
- 3. Providing the sidewalk connections as identified on the development plan, subject to meeting Americans

AGENDA ITEM #: 67 FILE #: 4-H-18-UR 4/4/2018 07:20 PM TOM BRECHKO PAGE #: 67-1 with Disabilities Act (ADA) requirements and the requirements of the Knox County Department of Engineering and Public Works.

- 4. The final design of the east bound deceleration lane on Hardin Valley Rd. is subject to approval by the Knox County Department of Engineering and Public Works. The deceleration lane shall meet the same pavement design requirements as was used for Hardin Valley Rd.
- 5. Installing all landscaping as identified on the landscape plan within six months of the issuance of an occupancy permit for this project, or posting a bond with the Knox County Department of Engineering and Public Works to guarantee such installation. Landscaping shall be installed so as not to interfere with the sight triangles and visibility along public streets.
- 6. The applicant shall be responsible for installing the street and driveway improvements recommended in the revised Traffic Impact Study for Palmer Subdivision as prepared by CDM Smith, with a revised date of February, 2016, and as approved by the Knox County Department of Engineering and Public Works and Planning Commission Staff. The applicable improvements shall be installed to the standards approved by the Knox County Department of Engineering and Public Works.
- 7. Meeting all applicable requirements of the Knox County Department of Engineering and Public Works.
- 8. Proposed signage for the commercial center is subject to approval by Planning Commission Staff and the TTCDA Board.
- 9. Meeting all applicable requirements of the Knox County Zoning Ordinance.

With the conditions noted above, this request meets the requirements for approval in the PC (Planned Commercial) & TO (Technology Overlay) zoning districts, as well as other criteria for approval of a use on review.

## **COMMENTS:**

This is a request for a commercial center with two buildings and a proposed building area of approximately 11,733 square feet. The 1.92 acre development site is located on the southeast side of Hardin Valley Rd, approximately midway between Greenland Way and Valley Vista Rd. Access to the site will be the eastern entrance to Palmer Subdivision that was approved as a Concept Plan by the Planning Commission in February, 2016. The site is located just to the west of the new Zaxby's restaurant.

The proposed building that is closest to Hardin Valley Rd. is approximately 6,345 square feet and will be marketed for restaurant and retail use. The restaurant includes a drive-thru window. The rear building with approximately 5,388 square feet will be for office use. There will be a total of 79 parking spaces to serve the center. The commercial center includes driveway connections to the future frontage lots for Palmer Subdivision that will be located to the west. Sidewalk connections will also be provided within the commercial subdivision.

A use on review approval (3-N-17-UR) was previously granted for this site by the Planning Commission on March 9, 2017. The proposed development is back before the Planning Commission due to site changes that include a drive-thru window for the restaurant, and a change in traffic flow around the front building from two-way to one-way traffic on the east and south sides of the building.

The site is located within the TO (Technology Overlay) zoning district and is subject to review and approval by the Tennessee Technology Corridor Development Authority (TTCDA). The TTCDA will consider this request on April 9, 2018.

A traffic impact study was required for the commercial subdivision. The applicant shall be responsible for installing the street and driveway improvements recommended in the revised Traffic Impact Study for Palmer Subdivision as prepared by CDM Smith, with a revised date of February, 2016, and as approved by the Knox County Department of Engineering and Public Works and Planning Commission Staff. The applicable improvements shall be installed to the standards approved by the Knox County Department of Engineering and Public Works.

EFFECT OF THE PROPOSAL ON THE SUBJECT PROPERTY, SURROUNDING PROPERTIES AND THE COMMUNITY AS A WHOLE

- 1. All public utilities are available to serve the site.
- 2. The proposed commercial center is compatible with the scale and intensity of the surrounding development and zoning pattern.

CONFORMITY OF THE PROPOSAL TO CRITERIA ESTABLISHED BY THE KNOX COUNTY ZONING

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#### **ORDINANCE**

- 1. With the recommended conditions, the proposal meets all requirements of the PC/TO zoning as well as the general criteria for approval of a use on review.
- 2. The proposed commercial development with the recommended conditions is consistent with the following general standards for uses permitted on review: The proposal is consistent with the adopted plans and policies of the General Plan and Sector Plan. The use is in harmony with the general purpose and intent of the Zoning Ordinance. The use is compatible with the character of the neighborhood where it is proposed. The use will not significantly injure the value of adjacent property. The use will not draw additional traffic through residential areas since the development is located off of an arterial street. No surrounding land uses will pose a hazard or create an unsuitable environment for the proposed use.

### CONFORMITY OF THE PROPOSAL TO ADOPTED MPC PLANS

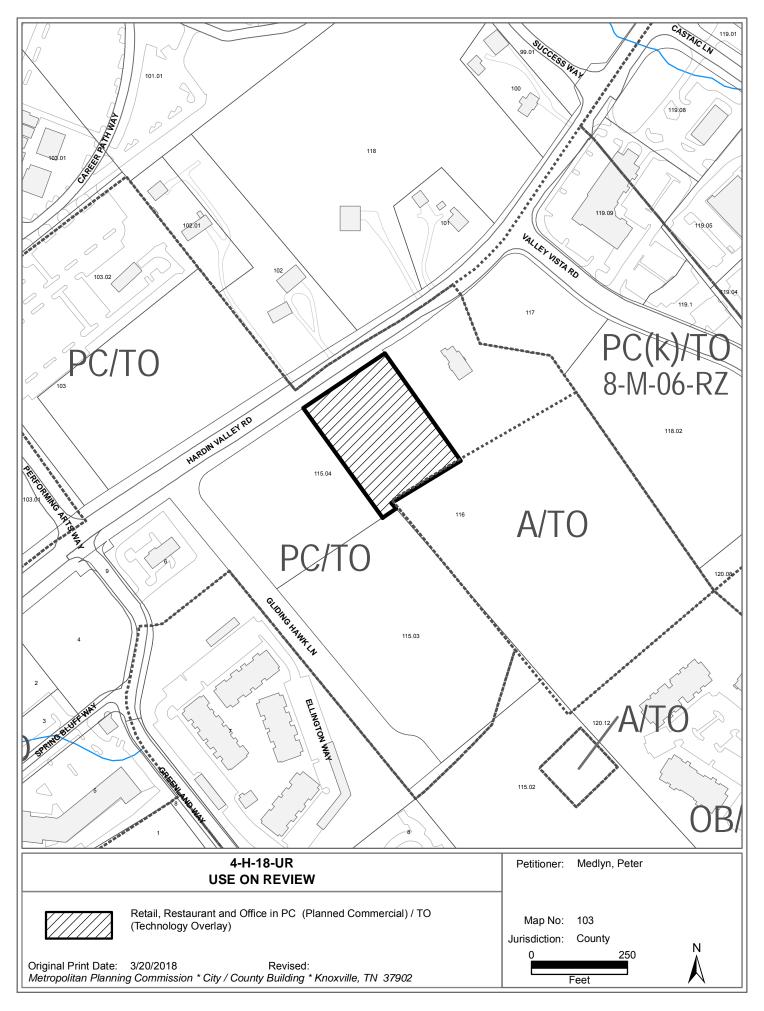
- 1. The Northwest County Sector Plan proposes commercial uses for this site. The proposed commercial center is in conformity with the Sector Plan.
- 2. The site is located within the Planned Growth Area on the Knoxville-Knox County-Farragut Growth Policy Plan map.

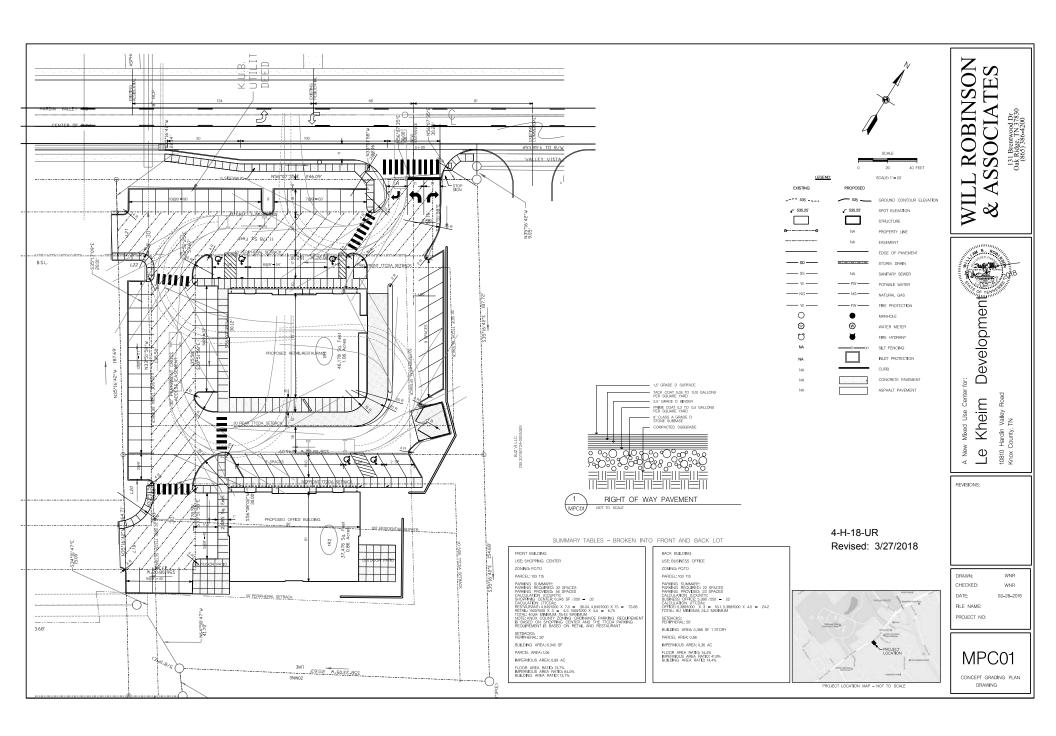
ESTIMATED TRAFFIC IMPACT: A traffic impact study was prepared by the applicant. The findings of that study were used in formulating the recommendations of this staff report.

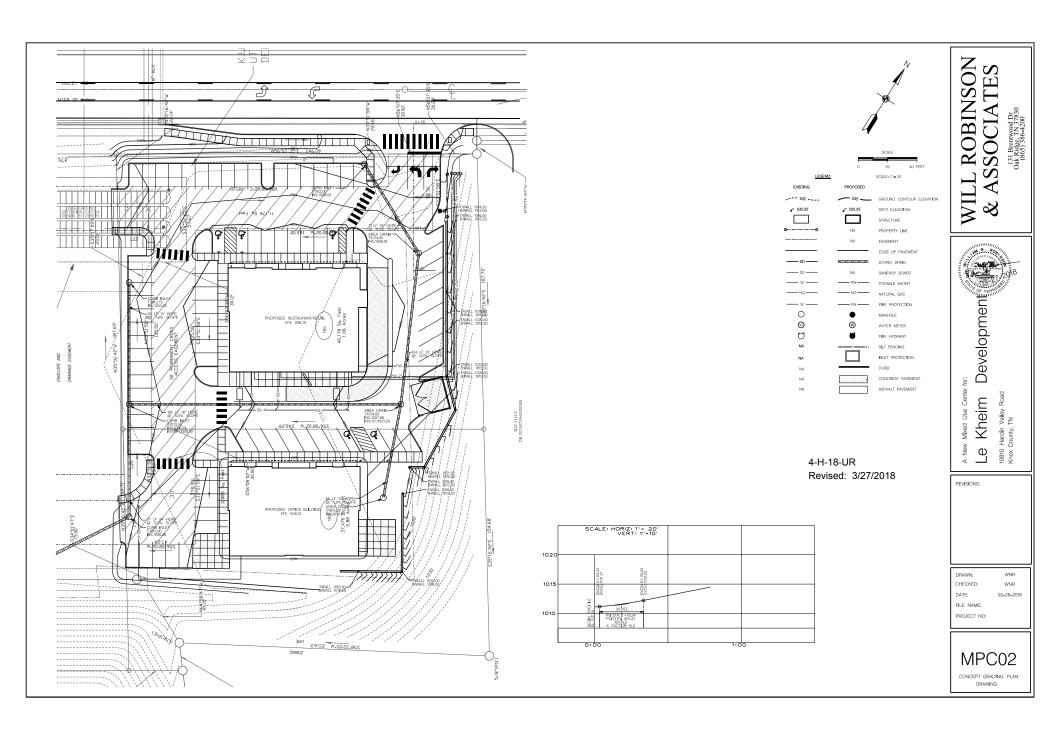
ESTIMATED STUDENT YIELD: Not applicable.

MPC's approval or denial of this request is final, unless the action is appealed to the Knox County Board of Zoning Appeals. The date of the Knox County Board of Zoning Appeals hearing will depend on when the appeal application is filed. Appellants have 30 days to appeal an MPC decision in the County.

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4-H-18-UR Revised: 3/27/2018

L100

Key	Quantity	Botanical Name	Common Name	Size		Notes
HADE	TREES					
P	4	Querous phelios	Willow Oak	2" cal.	6° CT -Ce	ntral leader, full & matched
A	4	Ulmus americana 'Princeton'	Princeton Elm	2" cal.	6" CT-cen	tral leader, full, well and low branched
VERG	REEN TRE	ES				
1	4	llex x 'Nellie R. Stevens'	Nellie Stevens Holly	8" hgt. min.	FTG ope	n branching
S-6	7	Pinus strobus	White Pine	6" hgt. min.		eder, well branched
S-8	4	Pinus strobus	White Pine	8" hgt. min.	Center lea	ader, well branched
RNAM	ENTAL TR	FES	-	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	10000000	athen the factories
1	5	Lagerstroemia indica x fauriei 'Natchez'	Natchez Crape Myrtle	8' hgt. min.	MT, 3 can	e min., full & well branched, white flowers
HRUB	e		7.1	100000000000000000000000000000000000000	-	
R	85	Abelia x 'Rose Creek'	Rose Creek Abelia	3 gal.	Noc 50	& dense, pink flowers
P	47	Juniperus parsoni	Parson's Juniper		3' o.c., full & dense	
L	116	Prunus laurocerasus 'Otto Luyken'	Otto Luyken Laurel	3 gal.	4' o.c., full & dense	
s	8	Prunus laurocerasus 'Schipkaensis'	Schip Laurel	30° B&B	5' o.c., full & dense	
M	5	Rosa 'Meijocos'	Pink Drift Rose	3 gal.	3' o.c., full & dense, pink flowers	
0	14	Rosa 'Radrazz'	Knockout Rose	3 gal.	4" o.c., full & dense, red flowers	
ROUN	DCOVERS	& PERENNIALS				
C	65	Hypericum calycinum	Creeping St. John's Wort	1gal.	24" o.c., yellow flower	
M	400	Liriope muscari 'Big Blue'	Big Blue Liriope	1 gal.	18° o.c.	
V	625	Liriope muscari "Variegata"	Variegated Liriope	1 gal.	18" o.c.	
RNAM	ENTAL GE	RASSES		10-50-0	I VALVESKI	
A	30	Pennisetum alopecuroides 'Cassian's Choice'	Cassian's Choice Pennisetum	3 gal.	3° o.c.	
EED						
SEED	5,700	Festuca arundinacea	Turf-type Tall Fescue	sf		
ARDS	CAPE		1999/100			
RR	690	River Rock		2*	3-4" Depth	
Parkin	g Lot La	Indiscape Requirements (TTCDA)  e trees that are preserved within eight (8) feet of g area may be used to satisfy up to 50% of the re		2	3-4" Dept	Note: See Sheet L200 for Plar Notes and Planting Details

Total number of trees preserved: 0

Requirement A: Trees shall be required at a rate of one (1) medium or large canopy tree for every ten parking spaces provided. In order to provide year-round greenery, at least 25% of newly planted

trees should be evergreen. Total number of parking spaces: 79

Trees required: 8
Trees provided: 9 (Notated on plan with \*)

Evergreen trees provided: 15

Requirement B: A roughly equal combination of large, medium and small trees should be planted, with at least 10 large maturing trees

per acre of yard space. Acres of yard space: Front vard: .08 acre Side Yard: .22 acre

Trees Required: 3 4Large Tree

Total: 4 Trees Provided (notated on plan with \*\*) Requirement C: In addition to the planting of required canopy trees, planting

areas for ornamental trees, shrubbery and bedding plants shall be no less than five (5) percent of the surface area devoted to parking.

Total parking surface area: 35,065 sf Plant bed area required: 1,753 sf Plant bed area provided: 3,000+ sf

**Building Landscape Requirements** Requirement D: Areas around buildings equal to 50% of the area of each front and side elevation shall be planted with ornamental trees,

shrubbery, and bedding plants. Total building elevation: 10,625 sf Required plantings: 5,313 sf

All disturbed areas to be seeded.

Plantings provided: 6.000+ sf

Proposed Office - 70 RR Property Line

Proposed Restaurant/Retail

- 20 LV - 5 RM - 4 AR

3 IN 14 AR 55 LV

disturbed area.

Approximately 3,000 SF

Hardin Valley Road

disturbed area Approximately 1400 sf.

220 RR

Landscape Plan

- Contractor shall verify all existing conditions in the field and report any discrepancies to the Owner's Representative prior to starting work.
- No planting shall occur until soil sample results have been received from all planting areas and soils are properly
- No patheting shall occur unto so its sample it results have been received from an panning areas and so is are proper amended based on the results of the soil tests. See this sheet for soil sampling instructions. No planting shall occur until percolation testing has been completed and soils have been properly amended to drain. See this sheet for percolation testing procedures.
- 4. All new plant material shall conform to the guidelines established for nursery stock published by the American Association of Nurserymen, Inc. In addition, all new plant material for the project shall be of the highest specimen quality. Plant material delivered to the site that does not meet the requirements stated herein may be rejected by the Owner's Representative.
- 5. Do not assume trunk flare will be exposed at the nursery. Contractor to expose trunk flares to check for root
- bot not assume from hate with the exposed at the following controllation to expose durin late so direct for foot girdling. Pull mulch away from the trunk flare of trees and from the base of all shrubs.

  No plant material shall be planted before acceptance of rough grading. The finished grade shall not cover any part of the tree trunk flare. See tree planting detail.
- All new plants shall be balled and burdapped or container grown unless otherwise noted on the plant list. The Contractor shall locate and verify all existing utility lines prior to planting and report any conflicts to the
- Owner's Representative. 9. Planting plans are not layout plans. Plants may need to be shifted in the field, based on the existing conditions
- Coordinate with the Landscape Architect prior to any changes.

  10. All lawn areas disturbed by construction operations inside and outside the limit of work shall be prepared and
- 11. Prepare all shrub beds with planting soil to a minimum depth matching the depth of shrub root balls; prepare perennial beds with a minimum of 12" planting loam; prepare groundcover beds with a minimum of 6" planting
- All plant beds are to receive one and a half inches (1.5") of double shredded hardwood mulch
- 12. Any param betas are of receiver due and a main fincines (1,2) of oddours strenged trainwork on much.
  13. Thoroughly water frees a risk shows during the first 24 hours after planting. Wet the soil to a depth of 18-24\*. When runoff starts, stop watering, let the water soak in and repeat until the proper depth is wet.
  Any proposed substitutions of plant species shall be made with plants of equivalent overall form, height, branching
- habit, flower, leaf, color, fruit, and culture only as approved by the Owner's Representative.
- 15. All areas to be seeded shall receive soil preparation as specified prior to seeding or sodding, unless otherwise
- Contractor's base bid to include all materials, labor, permits, equipment, tools, insurance, etc. to perform the work as described in the contract documents.
- Contractor to complete work within schedule established by Owner.
   Contractor to provide one year warranty for all material from date of substantial completion. Contractor to provide interim maintenance (watering, pruning, fertilizing, guying, mowing, trimming, adequate drainage of ponding areas, edging, weeding, mulching, and general landscape clean-up) until substantial completion notice is provided by the Owner's Representative. Application of insecticides/herbicides must be approved by the Owner's Representative prior to use on site.
- 19. See civil drawings for further information regarding:
- Frosion and sediment control
- Locations of existing and proposed structures, paving, driveways, cut and fill areas, and retention areas Limits of construction.
- Locations of existing and proposed utilities or easements.
- Declarors in existing a dis projosed unimes of easements.
  Plant beds to join walks or walls at an angle between 90° & 60°.
  Shade trees to be planted a minimum of 5 from sidewalks, water line, sewer line or manholes. Evergreen and ornamental trees to be planted a minimum of 5 from sidewalks, water line, sewer line or manholes.
- 22. Mulch rings around shade trees to be a minimum diameter of 4' and a minimum of 3' around ornamental and evergreen trees. If evergreen trees are specified as full to ground, mulch ring to extend a minimum of 12" beyond the edge of plant.
- Square footage of seed quantities is approximate and is an estimate of the disturbed areas. Contractor to verify quantities prior to purchase and installation

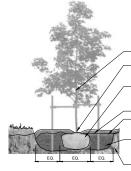
### Instructions For Existing Soil Sampling:

- Using a spade, dig a v-shape hole to a 6" depth; then cut a thin slice of soil from one side of the hole. Place the slice in a plastic bucket, do not use a metal bucket. Mix slices together and fill a plastic sample bag with three (3) cups of dirt. The sample bags can be ziploc bags that are labeled with the project name and
- A well mixed composite from 10 to 20 random locations should be subsampled to make the three (3) cup
- Mark the plan to show soil sample locations.
- Send samples to A & L Analytical Labs, Inc., 2790 Whitten Road, Memphis, Tennessee 38133, 800-264-4522, www.al-labs.com.
- Results to be copied to the Owner.

#### Percolation Test Notes

- Dig a hole 18-24" deep & a minimum of 6" wide.
  Fill hole with water to the top and let drain for several hours. Ideally let the hole pre-wet over night and test the
- following day. Refill hole to within a couple inches of the top.
- To aid in measurement, place a stick across the top of the hole and use a second stick to mark periodic drops
- in water level; mark side of hole; or mark soil on side of hole with nail or stick.

  Measure drop in water level after 30 minutes and one hour. If possible measure drop in water level the next
- Determine drop in water level per hour. If water level in hole drops more than one inch per hour. it is well
  drained and suitable for all plant species.



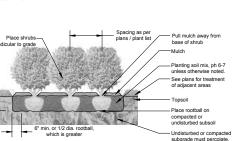
Tree shall be plumb after settlement. Trunk flare of each tree shall be exposed. Set tree so that no part of the trunk flare is buried. Do not cover the trunk flare with mulch. Remove & discard burlap except under ball. Remove all synthetic soil wrapping materials (treated burlap, nylon twine, wire baskets, etc.) and discard

Mulch (pull mulch away from trunk of tree) Excavate hole to diameter 3x wider than rootball. Backfill hole with planting soil mix, ph 6 unless otherwise noted.

Excavate topsoil substrate as required to place rootball to proper elevation. Place rootball directly on undisturbed subgrade or compacted planting Undisturbed or compacted subgrade mus

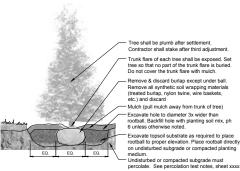
percolate. See percolation test notes, this sheet

Deciduous Tree Planting Detail
Scale: NTS

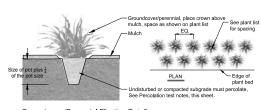


See percolation test notes, 3 Shrub Planting Detail

- Planting Soil Mix. compacted - Compacted subgrade Note: Seed mix varies, hydroseed with fiber mulch or provide erosion Seed Detail 5 Scale: NTS



2 Evergreen Tree Planting Detail Scale: NTS



Groundcover/Perennial Planting Detail

4-H-18-UR

Revised: 3/27/2018

**GEORGE ARMOUR EWART** ARCHITECT

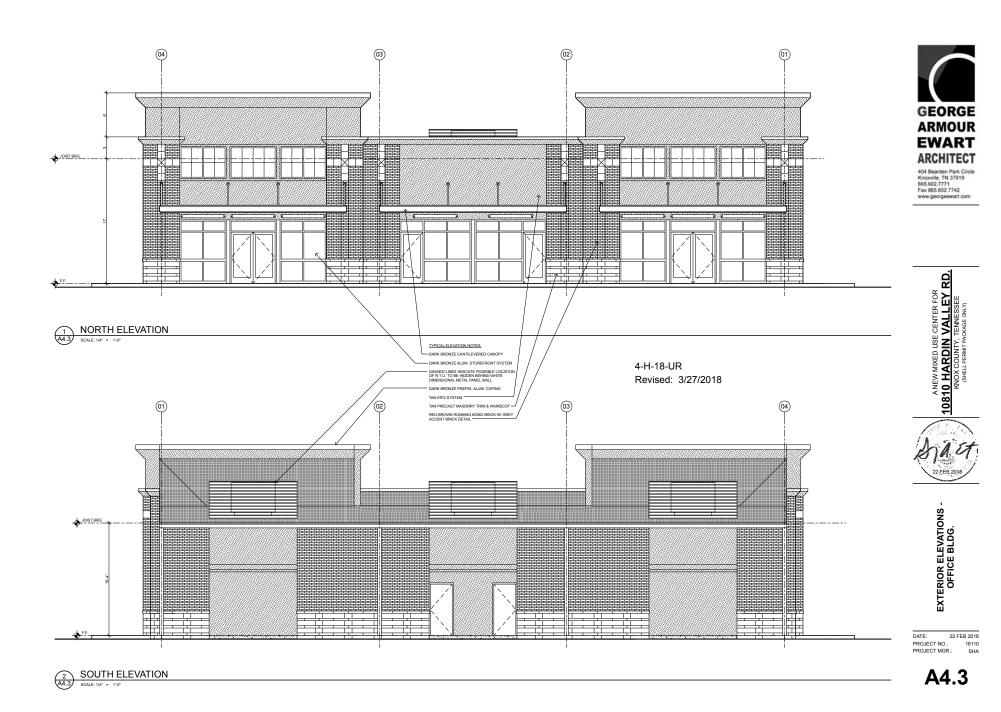
404 Bearden Park Circle Knoxville, TN 37919 865.602.7771 Fax 865.602.7742 www.georgeewart.com

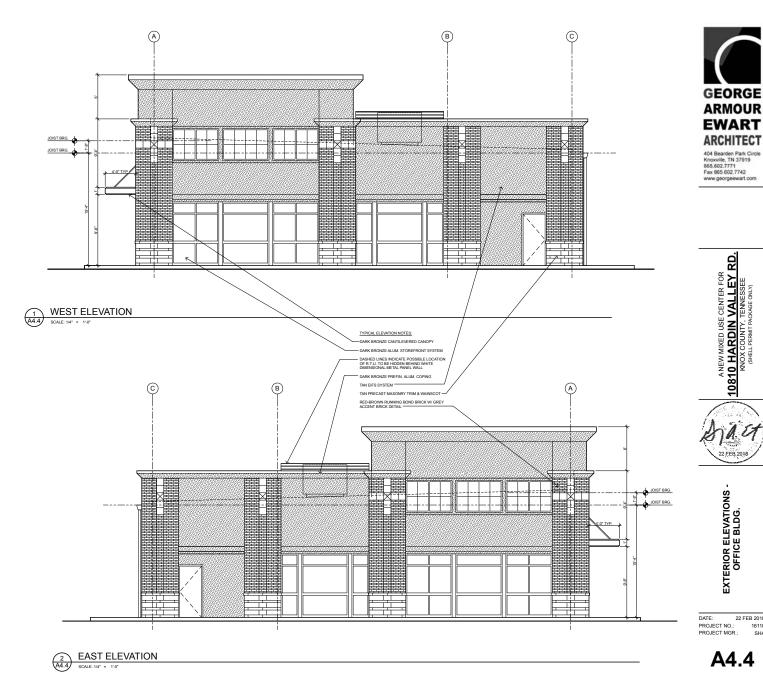
> 2 A NEW MIXED USE CENTER FOR 0810 HARDIN VALLEY KNOX COUNTY, TENNESSEE



DATE: 26 FEB 2018 PROJECT NO .:

L200





**ARCHITECT** 404 Bearden Park Circle Knoxville, TN 37919 865.602.7771 Fax 865.602.7742 www.georgeewart.com 10810 HARDIN VALLEY RD. KNOX COUNTY, TENNESSEE (SHELL BEAMT PACKAGE ONLY)

**ARMOUR** 

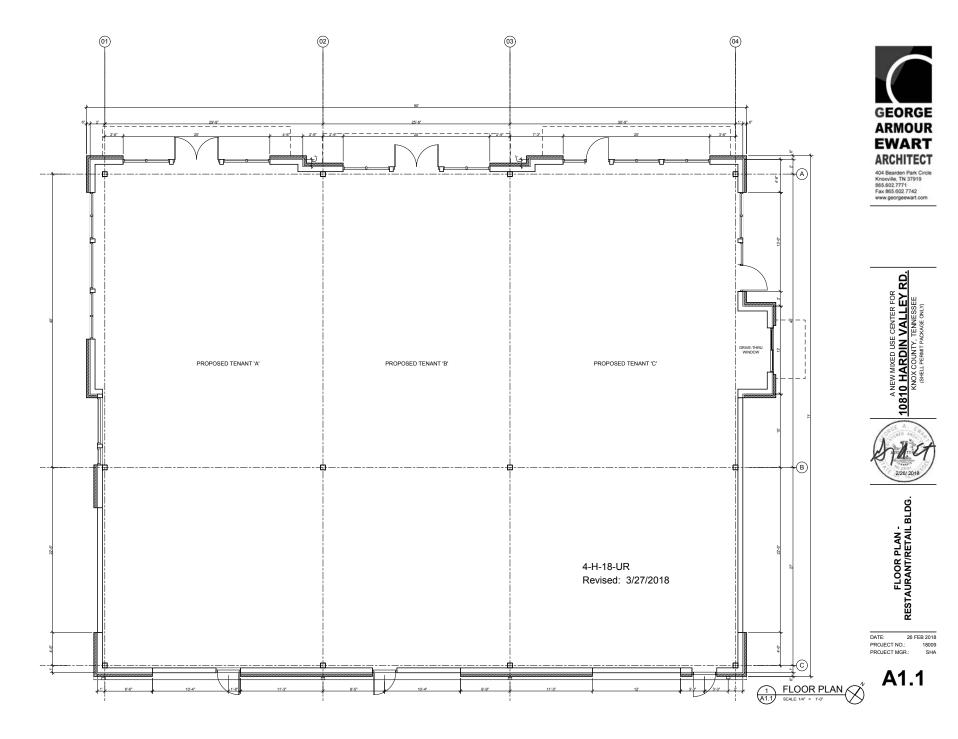
EXTERIOR ELEVATIONS OFFICE BLDG.

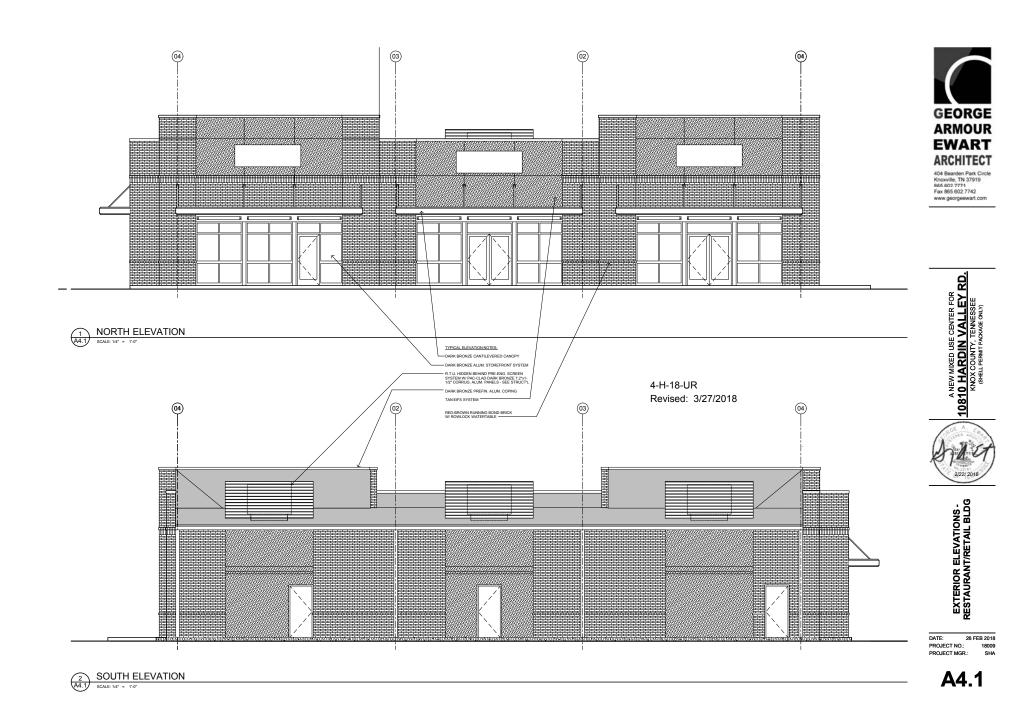
DATE: 22 FEB 2018 PROJECT NO .: PROJECT MGR.:

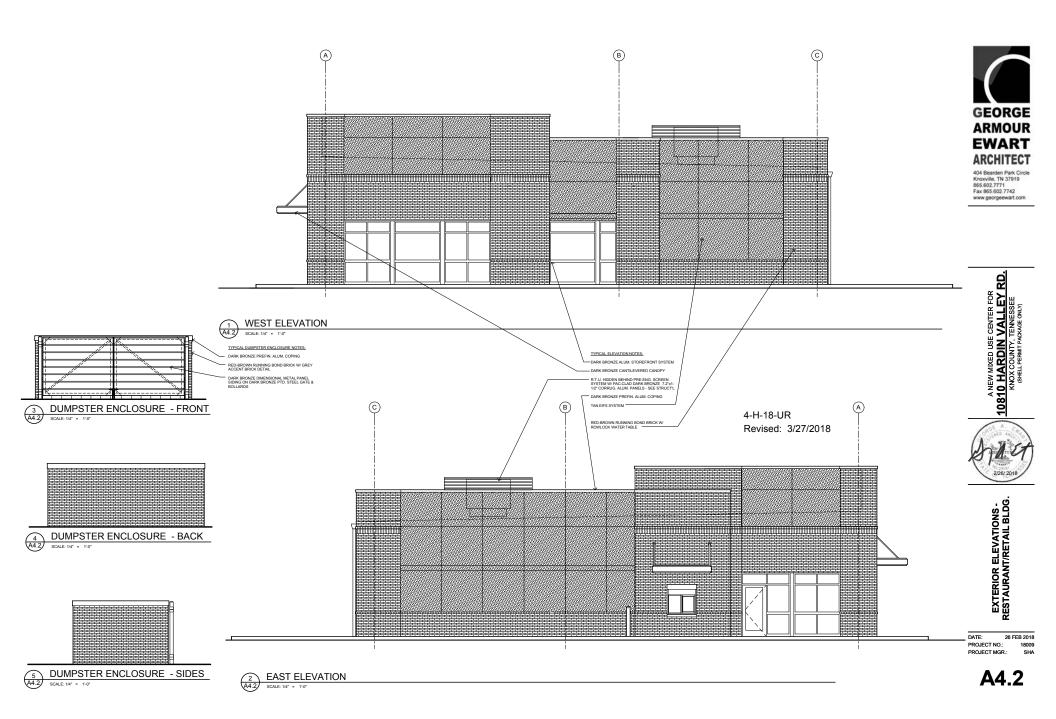
**A4.4** 

MPC April 12, 2018

4-H-18-UR Revised: 3/27/2018







METROPOLITAN PLANNING COMMISSION  TENNESISE Suite 403 · City County Building 4 0 0 Main Street Knoxville, Tennessee 37902 Fee Amount: Fee Amount: File Numb	Meeting Date: April 12, 2018  RECEIVED
Address: 10810 Hardin Valley Rd  Knox County TN  General Location: 1.92 Hardin Valley  Tract Size: 4.75 Acres No. of Units:  Zoning District: PC/TO  Existing Land Use: Vacan	PROPERTY OWNER/OPTION HOLDER  PLEASE PRINT Name: Peter Medlyn - Developer  Company: Oliver Smith Realty  Address: 7216 Wellington Dr. Svite I  City: Knoxville State: TN Zip: TN 37919  Telephone: 584-2000  Fax:  E-mail: petere oliversmithrealty.com
Planning Sector: Northwest County  Sector Plan Proposed Land Use Classification:  MU-SD  Growth Policy Plan Designation: Planned Growth  Census Tract: 59.05  Traffic Zone: 237  Parcel ID Number(s): 103 11504  Jurisdiction: City Council District  X County Commission 6th District	APPLICATION CORRESPONDENCE  All correspondence relating to this application should be sent to:  PLEASE PRINT Name: Will Robinson Associates  Company: Will Robinson Associates  Address: 1248 N. Shorewood Ln  City: Cargville State: TN Zip: 37714  Telephone: 865.386.4200  Fax: Wrassociates @  E-mail: Will Associates @  Dellsouth.net
APPROVAL REQUESTED  Development Plan:ResidentialNon-Residential  Home Occupation (Specify Occupation)  Other (Be Specific)  Rofa; / - Restaurant - Office	APPLICATION AUTHORIZATION  I hereby certify that I am the authorized applicant, representing ALL property owners involved in this request or holders of option on same, whose signatures are included on the back of this form.  Signature: Wendy Polmon for Oiversmith Real Please PRINT  Name: Wendy Robinson  Company: Will Robinson i Associates  Address: 1248 N. Shorewood In  City: Caryville State: TW Zip: 37714  Telephone: 865.386.4201  E-mail: Wendy grobinson@bellsouth.net

# REQUIRED SIGN POSTING AGREEMENT FORM

For all rezoning, plan amendment, concept plan, use on review, BZA variance, right-of-way closure, and street name change applications, a sign must be posted on the subject property, consistent with the adopted MPC/BZA Administrative Rules and Procedures. When applicable, MPC staff will provide the sign(s) to post on the subject property at the time of application.

The sign(s) must be posted in a location that is clearly visible from the nearest adjacent street. If the property has more than one street frontage, then the sign(s) should be placed along the higher classified street. MPC staff may recommend a preferred location for the sign(s) to be posted at the time of application.

The sign(s) must be posted no later than two weeks prior to the scheduled MPC/BZA hearing and must remain in place until after the meeting. The applicant is responsible for ensuring that the signs remain posted throughout the two-week period prior to the public hearing. Failure to maintain the signs during this time period may be cause for postponement of the application until the next scheduled meeting. In the case of a postponement, the sign can either remain in place or be removed and reposted no later than two weeks prior to the next MPC/BZA meeting.

MPC staff will provide the first sign(s) for no additional charge as part of the application fees. If the sign(s) are lost or stolen and need to be replaced, then the applicant will be responsible for picking up a new sign from the MPC offices. The applicant will be charged a replacement fee for additional sign(s) consistent with the agency's cost of purchasing each sign.

I hereby agree to post the sign(s) provided on the subject property on or before <u>March 28,2018</u> consistent with the guidelines provided above; and remove the sign(s) within one week after the MPC/BZA public hearing.

Signature:	Tendy Rolnson
Printed name: _	Wandy Robinson
Date:	2/26/18
MPC/BZA File #:_	4-H-18-UR - 4-D-18-TOB